

Exhibit H

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

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**IN RE: AUTOMOTIVE WIRE HARNESS
SYSTEMS ANTITRUST**

MDL NO. 12-2311

**STATUS CONFERENCE &
MOTIONS FOR PRELIMINARY APPROVAL**

BEFORE THE HONORABLE MARIANNE O. BATTANI
United States District Judge
Theodore Levin United States Courthouse
231 West Lafayette Boulevard
Detroit, Michigan
Wednesday, October 8, 2014

APPEARANCES:

Direct Purchaser Plaintiffs:

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1 resolved. I know there are some issues still being
2 negotiated, and we'll have to make it apply apparently to the
3 wire harness case because we are going to move ahead in wire
4 harness.

5 MR. CHERRY: Yes, Your Honor. What we would ask is
6 that the parties immediately meet and confer to try to -- we
7 just have a few remaining issues, try to close the gap on
8 that, and if within 30 days or some period of time we haven't
9 come to an agreement, we present the issue to Mr. Esshaki and
10 just have it resolved.

11 THE COURT: I think that that's fair. I think if
12 you meet and confer, and then Mr. Esshaki will meet with you
13 if necessary to set a protocol.

14 MR. CHERRY: Thank you.

15 MR. WILLIAMS: Steve Williams for end-payor
16 plaintiffs.

17 We will do that, and this relates to the deposition
18 protocol, but the issue I want to raise, it may be within the
19 scope of that protocol even if wire harness goes along on its
20 own there is overlap so, for example, discovery started in
21 heating control panel and fuel senders, same defendants, we
22 are going to have to address eliminating duplication of their
23 witnesses that relate to those cases. They have to give us
24 the documents for us to do that, but for us more importantly
25 we have 29 cases, we assume we may have more, we end-payor

1 plaintiffs who bought a car don't think we should be subject
2 to being deposed in wire harness and then again in the next
3 case.

4 Our view would be one deposition of that plaintiff
5 for every case they are in, defendants can appear if they
6 want. And what I would suggest, and I can provide the orders
7 on this, is in cases of this nature where there are class and
8 direct and multiple plaintiffs you don't repeat the
9 deposition again. So if we produce our plaintiffs for
10 deposition once now during the wire harness discovery, we
11 don't want somebody on the sidelines to come back in a year
12 and say now it is occupant safety, we want that person again
13 to ask them all of the same questions. So we are going to
14 suggest and we will try to work this into our protocol that
15 they get deposed once.

16 THE COURT: Let me just indicate, you will try to
17 work it into the protocol, that's fine, but I don't see how
18 that is going to work because there is not discovery yet
19 done, I mean, or document production on these other parts.

20 MR. WILLIAMS: But this is the plaintiff being
21 deposed, and this -- this comes back to what we have been
22 talking about, but it is the plaintiffs who's deposition
23 being taken, so --

24 THE COURT: You are not talking --

25 MR. WILLIAMS: My plaintiffs have produced their

1 documents, they have produced everything, they have nothing
2 more, they should just be deposed once.

3 THE COURT: Mr. Cherry?

4 MR. CHERRY: Yes, Your Honor. As I said, I think
5 we all want to minimize burdens on everyone including the
6 plaintiffs and we will do our best to depose plaintiffs only
7 once, particularly the end payors, I mean, they bought a car
8 and we find out what car they bought and we are good. So I
9 think we would take those depositions as soon as possible
10 now, and we will try to correspond and coordinate with the
11 other defendants.

12 THE COURT: I think it is a very excellent issue to
13 address now for the plaintiffs, I hope you can do it only
14 once that you can work into our protocol. If it happens that
15 you can't I can't imagine why for end-payor purchasers, I
16 mean, they are not going to know the individual part.

17 MR. CHERRY: It may be somebody would come along
18 and be able to show good cause down the road if they
19 bought --

20 THE COURT: That could very well be.

21 MR. CHERRY: But we would certainly do our best,
22 and I think it may be less perfect at the auto dealer level
23 or direct purchasers where there are replacement parts, they
24 are part specific conduct and people, but we will do our best
25 and should do our best to minimize duplication and hopefully

1 that just won't need to occur.

2 THE COURT: Okay.

3 MR. CHERRY: Thank you, Your Honor.

4 THE COURT: Yes?

5 MR. BARRETT: Your Honor, Don Barrett for the auto
6 dealers.

7 We strongly agree with the end payors about the
8 issue of repeated depositions. Generally speaking, our
9 plaintiffs are small businessmen and it is -- it would be
10 abusive to make them over and over and over 29 times -- you
11 know, the idea is to run them out of the litigation and --

12 THE COURT: Nobody is going to do that. I don't
13 think you need to worry about that. The effort will be to
14 not duplicate discovery. I think we said that way back when,
15 and I really think that's still where it goes, and I think
16 with the Master's assistance in your meet and confers first
17 that you will be able to work that out. It certainly may be
18 that somebody is deposed twice two or three -- I mean, there
19 are things that we can't control but those things that are
20 within their control and we can proceed now with wire harness
21 we will work with an effort to not duplicate.

22 MR. BARRETT: Thank you, Your Honor.

23 THE COURT: All right. I think we have that
24 schedule for now. I would like to go back because there was
25 one thing I didn't do, which I believe was F, page 3 of the